

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Keion Shyiem Everett

Docket No. 7:17-CR-62-1H

Petition for Action on Supervised Release

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Keion Shyiem Everett, who, upon an earlier plea of guilty to Distribution of a Quantity of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1) and 21 U.S.C. § 841(b)(1)(C), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on November 7, 2017, to the custody of the Bureau of Prisons for a term of 21 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Keion Shyiem Everett was released from custody on October 31, 2018, at which time the term of supervised release commenced.

On November 6, 2018, a Petition for Action was submitted to the court after the defendant admitted to using marijuana and opiates on November 1, 2018. In order to facilitate treatment, the conditions of probation were modified to remove participation in the DROPS program.

On December 21, 2018, a Motion for Revocation was filed advising that the defendant violated his conditions of probation by: 1) Absconding from supervision, 2) Failing to participate as directed by the probation officer in a treatment program for narcotic addiction, drug dependency, or alcohol dependency, and 3) Using a controlled substance. On February 13, 2019, the court denied the motion for revocation, continued supervision, and modified the conditions to require the defendant to adhere to a curfew of 8:00 p.m. to 6:00 a.m. for a period of 90 days. The court further stated that the defendant be returned to court for any violation conduct detected within 6 months.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 14, 2019, the undersigned probation officer completed installation of the electronic monitoring equipment at the defendant's residence. Since that time, Everett has violated his conditions by not fully complying with his curfew and missing appointments for random urinalysis tests and treatment sessions. However, Everett has otherwise been compliant and has made a significantly greater effort to comply with his conditions than he has in the past. He has submitted three negative urinalysis tests, attended nearly all scheduled weekly probation meetings, and has otherwise made himself available for supervision. Considering these circumstances, it is respectfully recommended that the curfew be removed, and the defendant be placed on home detention for the remainder of his time on electronic monitoring. This will allow Everett to remain in the community, while also being sanctioned for this violation conduct.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 46 consecutive days. The defendant shall be restricted to their residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

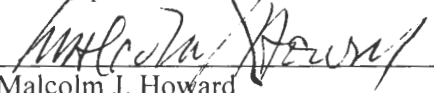
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: (910) 346-5103
Executed On: March 29, 2019

ORDER OF THE COURT

Considered and ordered this 2 day of April, 2018, and ordered filed and
made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge